



CONNECTICUT
LEGAL
RIGHTS
PROJECT, INC.

**PEOPLE WHO FALL UNDER THE JURISDICTION OF THE
PSYCHIATRIC SECURITY REVIEW BOARD ARE TRAPPED IN AND BY
A RACIST SYSTEM.**

The Psychiatric Security Review Board was established during the 1980's, after the assassination attempt on President Ronald Reagan, with the purpose of "protect[ing] the safety of Connecticut citizens by ordering treatment, confinement or conditional release of persons acquitted of a crime by reason of mental disease or defect." Unfortunately, due to racial bias inherent in both the mental health and criminal legal systems, the people, especially the Black people, who fall under their jurisdiction are trapped in a racist system and not given a second chance to re-enter society.

This may seem a bold claim, until you take a look at the demographics of the clients served in Whiting Forensic Hospital as compared to Connecticut Valley Hospital and Connecticut overall. (see <https://portal.ct.gov/DMHAS/Divisions/EQMI/EQMI-FY20-First-Quarter-Reports>; statewide numbers from most recent ACS survey.)

FACILITY	WHITE	BLACK	NON-HISPANIC	HISPANIC
Whiting Forensic Hospital	47%	35%	77%	15%
Connecticut Valley Hospital	60%	21%	79%	18%
State of CT (overall)	76%	10%	76%	14%

People who are stuck in Whiting because they are under the jurisdiction of the PSRB face many obstacles in getting discharged back to the

community, because of the public safety mandate. In the time of COVID-19, being stuck in a congregate setting means that individuals at higher risk of contracting the virus. There is litigation pending against the State of Connecticut in federal court challenging the conditions of confinement.

In 2018, Raised Bill 294 had a public hearing in the Public Health Committee. The language of that bill (which can be found here: <https://www.cga.ct.gov/2018/TOB/s/pdf/2018SB-00294-R00-SB.PDF>) would address some of the ways in which the PSRB statute disproportionately impacts Black people who are under its jurisdiction, and provide a pathway to re-entry.

Among other things, it would eliminate the public safety mandate and replace it with a balancing test that requires the Board to consider both the protection of society and whether or not a less restrictive placement is available. It would also recognize that the board must balance the protection of society and the rights of patients hospitalized or treated in any public or private facility for the treatment of persons with psychiatric disabilities under the Patients' Bill of Rights.

The bill would also eliminate the ability of the PSRB to retain jurisdiction over an individual who has been in the hospital for the maximum term they would have been incarcerated had they been found guilty of the criminal act for which they were found not responsible by reason of mental disease or defect ("continued commitment.") Instead, it would permit the state's attorney to apply to Probate Court for a civil commitment and require that the individual only continue to be held if they met the requirements of the civil commitment statute.

Questions?

Please contact Kathy Flaherty, Executive Director

kflaherty@clrp.org

(860) 262-5033 (office)

(860) 666-2200 (cell)